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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,768	08/21/2003	Scott Bennett	02006.00011	8747
7590	02/20/2004			
Steven Thrasher 391 Sandhill Dr. Richardson, TX 75080				
EXAMINER JOYCE, HAROLD				
ART UNIT		PAPER NUMBER		
3749				

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/645,768

Applicant(s)

BENNETT, SCOTT

Examiner

Harold Joyce

Art Unit

3749

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-19 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-14 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2 and 8 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Goodson et al.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodson et al. in view of Atkinson. Goodson et al. discloses the claimed invention except for the fastening means being removable and the fastening means being integrally formed within the bottom portion of the tube. Atkinson teaches that it is known to provide a removable connector for an air conditioner outlet hose as set forth at column 6, lines 9-12. It would have been obvious to one having ordinary skill in the art at the time the invention was made for the hook means of Goodson et al. to be removable, as taught by Atkinson in order to easily replace a broken hook. On the other hand, Goodson et al. also teaches that it is known to provide a fastening means being inte-

Art Unit: 3749

grally formed within the bottom portion of the tube as set forth at column 5, line 66 to column 6, line 4. It would have been obvious to one having ordinary skill in the art at the time the invention was made for the L-shaped fitting to be integrally formed within the bottom portion of the tube of Goodson et al. as taught by Atkinson in order to reduce the manufacturing steps thereof.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodson et al. in view of Official Notice. Goodson et al. discloses the claimed invention except for the funnel shaped diffuser. Official Notice is taken that funnel shaped diffuser are well known. It would have been obvious to one having ordinary skill in the art at the time the invention was made for the attachment means of Goodson et al. to be funnel shaped in view of the above taken Official Notice in order to diffused the air flow therefrom.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodson et al. in view of Tilley. Goodson et al. discloses the claimed invention except for the bracket. Tilley teaches that it is known to provide a bracket for an air conditioner outlet hose as set forth at column 5, lines 8-15. It would have been obvious to one having ordinary skill in the art at the time the invention was made for the hook means of Goodson et al. to be a bracket, as taught by Tilley in order to provide a similar fastening means.

7. Claims 10, 11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodson et al. in view of Bayles. Goodson et al. discloses the claimed invention except for securing means attaching the vent to a child car seat. Bayles teaches that it is known to provide a securing means a tubularly shaped member as set forth at column 2, lines 16-26. It would have been obvious to one having ordinary skill

Art Unit: 3749

in the art at the time the invention was made to provide the flexible conduit means of Goodson et al. with securing means for attaching the conduit means to a seat, as taught by Bayles for its obvious intended purpose. Note, it is an obvious matter of design choice for the seat to be a child car seat.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodson et al. in view of Bayles as applied to claim 10 above, and further in view of Tilley. Further, Goodson et al. discloses the claimed invention except for the bracket. Tilley teaches that it is known to provide a bracket for an air conditioner outlet hose as set forth at column 5, lines 8-15. It would have been obvious to one having ordinary skill in the art at the time the invention was made for the hook means of Goodson et al. to be a bracket, as taught by Tilley in order to provide a similar fastening means.

Claim Rejections - 35 USC § 112

9. Claims 5, 6 and 12-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 5, 6 and 12-14 are misdescriptive.

Allowable Subject Matter

10. Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 15-20 are allowed.

Drawings

12. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitations of claims 5, 6 and 12-14 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.


Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold Joyce whose telephone number is (703) 308-0274. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus can be reached on (703) 308-1935. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Harold Joyce
Primary Examiner
Art Unit 3749